

FREDERICK COUNTY LIQUOR BOARD
Public Meeting Minutes
Monday, February 25, 2013

Those Present: Mr. James E. McClellan, Chairman
Mr. Richard E. Zimmerman, Board Member
Mrs. Linda B. Thall, Sr. Assistant County Attorney
Mr. Harold C. DeLauter, Alcoholic Bev. Inspector
Mr. Frank Rauschenberg, Alcoholic Bev. Inspector
Ms. Kathy L. Vahle, Administrator
Mrs. Sandra Rees, Administrative Specialist IV
Mrs. Penny Bussard, Administrative Specialist IV

A Public Meeting was held at 12 E. Church Street, Frederick, Maryland, and was called to order at 8:45 am by Chairman McClellan.

1. **Inspector Rauschenberg** – Ms. Vahle stated she received an email from Inspector Rauschenberg regarding his final work day on March 2, 2013. Commissioner Zimmerman said to contact Carol Krimm of the City to see if they are going to fund the position for the next year. Copies of the letter should be given to the Mayor and other Aldermen.
2. **Mistero** – Ms. Vahle stated that this establishment posted on Facebook that for Valentine's Day they were having a special for \$80 a couple and gave choices of appetizers and entrees and a choice of wine was included in the ticket. They did not get permission for this event. This will be a violation.
3. **Legislation** – Ms. Vahle stated there was legislation introduced for a Banquet Facility License. This had been discussed by the Board last year and they had no issues. Senator Brinkley's office did call to see if there were any concerns. Also the bill for the license fees was amended based on what was in the letter that was sent. The bill is contingent upon the Board of County Commissioners having any issues. The bill to increase the number of members of the Board is still pending.
4. **Mr. Bricken** – Ms. Vahle received a letter from his office stating his client was interested in a Class B license in the Jefferson area. A response was sent explaining the types of licenses.

5. **Editorial** – Mr. Zimmerman stated he read the Editorial in the Frederick New Post and felt it was insulting and negative towards the Liquor Board. He is considering drafting a letter.
6. **Protest** – Ms. Vahle stated there would be a protest against one of the two applications today.
7. **Renewals** – Ms. Vahle stated that the renewals would be mailed out February 28, 2013 and asked that any violation Hearings or meetings be scheduled later in the month of April.
8. Decision Required: New

RE: Alan R. Clapp for the
use of
Shri Mahaprabhuji, LLC
t/a Peter Pan Premium
Wines & Microbrew
3363 Urbana Pike
Frederick, MD 21704
Class A, Off Sale, Beer and Light Wine
Sunday permit

The Board held a hearing for a new license. Ms. Vahle swore in the applicants (See attached Sign In Sheet). The pending items are: the final Zoning, the Occupancy Permit, the Fire Marshal and the Inspector's Report. The applicant stated the building has not been built and will not be ready until next year. Ms. Vahle reminded the Board that the owner of this business is involved with another license and a transfer will have to be completed before this license can be issued.

MOTION: Mr. Zimmerman made a motion for a conditional approval until February 24, 2014.

SECOND: Mr. McClellan seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Zimmerman - Aye
Mr. McClellan - Aye

The vote was unanimous. **Aye – 2 Nay – 0**
(Motion Passed)

9. Decision Required: New

RE: Martin Schipper for the
use of
Shri Yamunaji, LLC
t/a Town Center Spirits
& Wine
11324 Fingerboard Rd.
Monrovia, MD 21770

Class A, Off Sale, Beer, Wine and Liquor
Sunday permit

The Board held a hearing for a new license. Ms. Vahle swore in the applicants (See attached Sign In Sheet). The pending items are: the final Zoning, the Occupancy Permit, the Fire Marshal, the Inspector's Report. Ms. Vahle reminded the Board that the owner of this business is involved with another license and a transfer will have to be completed before this license is issued. The applicant stated this facility is not built yet and is not ready to open.

Protest – Amy Reyes stated she has been following the Town Center development for some time. She stated this facility would be across the street from three other establishments and there is no need for this new establishment. Kereakos Zuras, owner of the Green Valley BP, stated there is no need for another establishment and submitted a signed petition by residents in the community. Petros Petrossian, owner of the Green Valley Convenience Store stated there are five establishments already within a mile radius of this new establishment and it is not needed at this time. Paul Park, owner of the Green Valley Wine and Cheese, stated this new liquor license would create an economic hardship for the existing stores. Pam Abramson resident of Monrovia stated she is concerned that there are five liquor stores within a mile radius of each other. Also there is an elementary school right across the street from this new store. She would also like time to present the Board a printed copy of an online petition. Ms. Vahle stated that she counted 178 total signatures on the petition and the majority of signatures were from Monrovia, New Market and Ijamsville. Mr. Zimmerman stated he would need extra time to make a decision and would leave the record open to receive addition information for consideration.

MOTION: Mr. Zimmerman made a motion to continue the Hearing for both applicant and protestors until March 18, 2013. Also the deadline to

submit any protest items will be March 11, 2013 so the Board can review the items before the hearing.

SECOND: Mr. McClellan seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Zimmerman - Aye
Mr. McClellan - Aye

The vote was unanimous. **Aye – 2 Nay – 0**
(Motion Passed)

10. Decision Required: approval of the Public Meeting Minutes for February 18, 2013.

MOTION: Mr. Zimmerman made a motion to approve the Public Meeting Minutes for February 18, 2013.

SECOND: Mr. McClellan seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Zimmerman - Aye
Mr. McClellan - Aye

The vote was unanimous. **Aye – 2 Nays – 0**
(Motion Passed)

ADJOURN

The meeting was adjourned at 10:00 am.

Respectfully submitted,

Kathy Vahle, Administrator
FREDERICK COUNTY LIQUOR BOARD

Prepared by Sandra Rees